

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in light of the following discussion is respectfully requested.

Claims 1-6, 8, 9, and 39-46 are currently pending. The present Amendment amends Claim 6; cancels Claim 7 and withdrawn Claims 10-38 without prejudice or disclaimer; and adds Claims 39-46. The changes and additions to the claims are supported by the originally filed application. No new matter has been added.

In the outstanding Office Action, the specification was objected to because of informalities; Claims 1, 4, and 5 were rejected under 35 U.S.C. § 102(e) as anticipated by Dutta (U.S. Patent Application Publication No. 2002/0063885); Claim 8 was rejected under 35 U.S.C. § 103(a) as unpatentable over Dutta in view of Hobbs (U.S. Patent Application Publication No. 2002/0080384) and Iwazaki (U.S. Patent No. 6,705,781); Claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Dutta in view of Kawai et al. (U.S. Patent No. 6,404,994, herein “Kawai”); and Claims 2, 3, 6, and 7 were objected to but noted as allowable if rewritten in independent form. Applicant appreciatively acknowledges the indication of allowable subject matter in the claims.

In response to the objection to the specification because of informalities, the specification is amended to correct the cited informalities. Accordingly, the grounds for the objection are believed to have been overcome. Therefore, it is respectfully requested that the objection to the specification be withdrawn.

In response to the rejections of Claims 1, 4, 5, 8, and 9 under 35 U.S.C. § 102(e) or 35 U.S.C. § 103(a), Applicant respectfully traverses the rejection for the reasons set forth below.

The Office Action rejections are based on Dutta which has a filing date of *November 30, 2000*, and a publication date of *May 30, 2002*. The priority document submitted in the

present application, Japan Application No. 2000-356641, has a filing date of *November 22, 2000*. The Office Action stated that a translation had to be submitted for the priority document to be used to overcome the rejections. A translation of the priority document is thus submitted herewith. Therefore, Applicant respectfully submits that the rejections based on Dutta are overcome in light of the priority document and its translation, and respectfully requests that the rejections of Claims 1, 4, 5, 8, and 9 under 35 U.S.C. § 102(e) or 35 U.S.C. § 103(a) based on Dutta be withdrawn.

Further, to vary the scope of protection recited in the claims, new Claims 39-46 are added. New Claims 39-46 find non-limiting support in the disclosure as originally filed, for example Claims 1-9. Therefore, the changes to the claims are not believed to raise a question of new matter.¹ New independent Claim 39 is allowable Claim 7 rewritten in independent form and Claims 40-46 correspond to Claims 2-6, 8, and 9. Accordingly, Applicant respectfully submits that new Claims 39-46 are allowable.

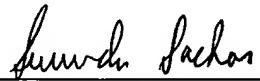
Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-9 and 39-46 is earnestly solicited.

¹ See M.P.E.P. 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Surinder Sachar
Registration No. 34,423

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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